

WA 9/2005

BEFORE

THE HON'BLE MR. JUSTICE D.BISWAS, CHIEF JUSTICE(ACTING)

THE HON'BLE MR. JUSTICE HRISKHIKESH ROY

Heard Mr. P.K. Deka, learned counsel for the petitioner and Mrs. B Goyal, learned State counsel.

This appeal is directed against the judgment and order dated 22.7.2004 passed by the learned Single Judge in WP(C) No. 3534/2000 dismissing the writ petition filed by the writ petitioner seeking direction for his appointment as Gaonburah.

On perusal of the judgment under appeal, we find that there was no material before the learned Single Judge to show that the writ petitioner was also selected along with the other candidate and kept in the waiting list. Therefore, the decision of the authority to re-advertise the post which fell vacant due to inability of the selected candidate to join cannot be legally controverted.

We fully agree with the reasons recorded by the learned Single Judge in dismissing the writ petition.

Consequently, the appeal is dismissed.